

FILED
Clerk
District Court

JUL 17 2006

JOHN S. PANGELINAN
MERCED B. PANGELINAN
P. O. Box 501721
Saipan, MP 96950

Telephone No. (670) 256-0526

For The Northern Mariana Islands
By _____
(Deputy Clerk)

Pro se

**IN THE
UNITED STATES DISTRICT COURT
FOR THE
NORTHERN MARIANA ISLANDS**

ANGELITO TRINIDAD, et al.

Plaintiffs,

v.

JOHN S. PANGELINAN, et al.

Defendants.

Civil Action No. 97-0073

**MOTION TO AMEND AMENDED
ORDER OF MARCH 8, 2006, SUB-
STITUTING LOT NO. E.A. 684 &
PRE-WAR LOT NO. 1511 FOR
LOT NO. E.A. 222, PAPAGO,
AND NOTICE OF MOTION**

NOTICE OF MOTION

Please take notice that at the upcoming hearing on July 19, 2006, set for plaintiffs' motion for a permanent injunction, that defendants the Pangelinans will make the motion stated hereinbelow.

MOTION

COMES NOW, JOHN S. PANGELINAN and MERCED B. PANGELINAN, herein referred to as “defendants the Pangelinans”, and move this court to amend its Amended Order of March 8, 2006, to substitute Lot No. E.A. 222, Papago, in the ordered sale of property and, in lieu thereof, to place Lot No. E.A. 684, Kanat Tabla and pre-war Lot No. 1511, Chalan Galaide, Garapan District, as the properties to be sold at the public sale. Exhibit “A” is attached hereto showing a complete description of the two lots.

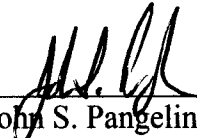
STATEMENT OF REASONS

Defendants the Pangelinan propose the two lots in lieu of Lot No. E.A. 222 to avert future legal confrontation in regards to possessory rights to (as opposed to ownership in) the land. In addition, defendants the Pangelinans desire to avert a potential criminal liability for the plaintiffs and other parties and to withdraw from consideration plaintiffs’ motion for permanent injunction, for by substitution there is no need for the permanent injunction.

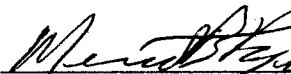
Further, because defendants the Pangelinans’ are residents of Lot No. E.A. 222, and derive their income and livelihood therefrom, said lot is exempt from execution under CNMI law, and for the two substituting lots to be ordered sold pursuant to said law in lieu thereof, and the exempt Lot No. E.A. 222 should constitute findings of the court that, under the same said law, the Pangelinans have it as sufficient land remaining in the defendants the Pangelinans for their support, maintenance and livelihood.

.....

Dated this 17th day of July, 2006.



John S. Pangelinan
Defendant, Pro se



Merced B. Pangelinan
Defendant, Pro se

Lot No. E.A. 684, containing an area of 20,479.0 square meters, more or less, located at Kanat Tabla, Saipan, more particularly described as follows:

Beginning at Corner 1, which is S 47° 51' 56" W, a distance of 894.17 meters from triangulation station "PEAK II";

thence S 62° 35' 53" E, 40.23 meters to Corner 2;
thence S 43° 14' 37" E, 37.58 meters to Corner 3;
thence S 55° 46' 36" E, 30.29 meters to Corner 4;
thence S 08° 49' 51" E, 19.94 meters to Corner 5;
thence S 36° 57' 29" E, 32.66 meters to Corner 6;
thence S 27° 17' 59" W, 155.89 meters to Corner 7;
thence N 66° 11' 52" W, 73.12 meters to Corner 8;
thence N 07° 38' 06" E, 219.70 meters to Corner 1,

the point of beginning, containing an area of 20,479.0 square meters, more or less, and being situated in Land Square 7, Section 4, Unit f, as shown on APWO Drawing No. 11411 on file with the Clerk of Courts, Saipan District.

Grant of Public Domain Lands (deed) to Felisida Sarapao from Government of the Trust Territory of the Pacific Islands, dated February 5, 1958.

Sale Deed to John S. Pangelinan and heirs from Dolores S. Teregeyo, sole heir of Felisida Sarapao, dated August 6, 1985, File No. 85-1467, Aug. 6, 1985, Commonwealth Recorder.

John S. Pangelinan never encumbered this lot to anyone. Do not believe it was encumbered by Felisida Sarapao and Dolores S. Teregeyo to anyone.

Lot No. 1511, containing an area of 4.0 hectares, more or less, subject to survey, located at Chalan Galaide, Saipan:

Pre-war Lot No. 1511, as shown on Lands and Claims map #5 filed with the Clerk of Courts, Saipan, M.I.: bounded on the

North by a portion of Lot No. 1510 and Lot No. 1507, and on the
East by a portion of Lot No. 1611, and on the
South by a portion of Lot No. 1513, and on the
West by portion of Lot No. 1512,

Exhibit "A"

said parcel of land contains an area of 4.0 hectares, more or less, subject to survey, and situated in Garapan District, Saipan.

Determination of Ownership No. 624, Land Title Officer, Trust Territory of the Pacific Islands, on September 28, 1953, made to the heirs of Polonia Gupapi.

Deed of Gift from Margarita T. Mettao, one of only two heirs of Juan G. Taman, who was the only son and child of Polonia Gupapi, to Edward T. Norita and heirs, dated May 6, 1986, filed in Book 2, Page 137, Commonwealth Recorder on March 2, 1988.

Deed of Sale to John S. Pangelinan and heirs from Isabel T. Norita, the other one of only two heirs of Juan G. Taman, who was the only son and child of Polonia Gupapi, and Edward T. Norita, dated October 10, 1986, filed in Book 2, Page 4 on October 14, 1986.

Quitclaim Deed to John S. Pangelinan and heirs from Margarita T. Mettao, dated March 1, 1988, File No. 88-687, Commonwealth Recorder on March 2, 1988.

John S. Pangelinan never encumbered his interest in the lot to anyone. Believed none of his predecessors made any encumbrances to anyone.